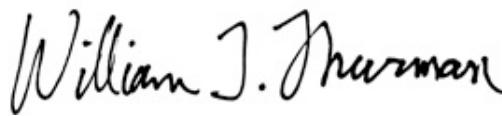


**This order is SIGNED.**

**Dated: December 16, 2016**



**WILLIAM T. THURMAN  
U.S. Bankruptcy Judge**



uae

Lon A. Jenkins (4060)  
Tami Gadd-Willardson (12517)  
Brian J. Porter (14291)  
MaryAnn Bride (13146)  
OFFICE OF THE CHAPTER 13 TRUSTEE  
405 South Main Street, Suite 600  
Salt Lake City, Utah 84111  
Telephone: (801) 596-2884  
Facsimile: (801) 596-2898  
Email: [utahtrusteemail@ch13ut.org](mailto:utahtrusteemail@ch13ut.org)

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

IN RE: JAMES F POWELL MARCIA D POWELL  Debtors	CASE NO: 16-24737  Chapter 13  Hon. WILLIAM T. THURMAN
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**ORDER DISMISSING CHAPTER 13 CASE FOLLOWING  
CONFIRMATION HEARING**

The Debtors filed a Chapter 13 Petition on May 31, 2016. A Notice of a Contested Confirmation Hearing was provided to all parties in interest. At the confirmation hearing held December 14, 2016 2:00 pm, the Chapter 13 Trustee, appeared personally or by counsel, and other parties, if any, made their appearances on the record. Having heard the representations of the parties and recommendations of the Trustee, and having determined that all requirements for confirmation have not been met, the Court hereby ORDERS:

1. The Debtors case is hereby dismissed without prejudice.
2. Of the funds being held in this case, the Trustee shall pay, to the extent funds are available, the following claims in the following priority: (1) the allowed fee to the Trustee under 28 U.S.C. § 586(e); (2) adequate protection payments provided for in the proposed plan, stipulated to by the parties, or ordered by the Court; (3) allowed administrative expenses, including attorney's fees and costs in the total amount of \$1,725.00,

less any retainer on the Bankruptcy Rule 2016 statement; and (4) with the balance of such funds to be returned to the Debtors pursuant to 11 U.S.C. § 1326(a)(2) by a check made payable to the Debtors and mailed to the debtors' most recent address on file with the Bankruptcy Court.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on 12/16/2016, a true and correct copy of the foregoing Order was properly addressed, posted in the U.S. Mail, first-class, postage prepaid to the following parties at the addresses listed below:

DAVID M. COOK, ECF Notification

/S/ Employee of Office of Chapter 13 Trustee

### **COURT SERVICE LIST**

CHAPTER 13 TRUSTEE - ECF NOTIFICATION

JAMES F POWELL AND MARCIA D POWELL, 983 EAST STATICE , SANDY, UT 84094

DAVID M. COOK, ECF Notification